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MAR 13 1914

Daniel Dewey BARNARD'S

REPORT

ON

THE USE OF THE BIBLE

IN

COMMON SCHOOLS.



PROVIDENCE:  
KNOWLES, VOSE & COMPANY.  
1838.

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LEGISLATURE OF NEW-YORK :

IN ASSEMBLY—JAN. 28, 1838.

**MR. BARNARD'S REPORT,**

*Of the Committee on Colleges, Academies, and Common Schools, on the Memorial of William G. Griffin and others.*

Mr. BARNARD, from the Committee on Colleges, Academies, and Common Schools, to whom was referred the memorial of William G. Griffin, and others, asking the Legislature to enact a law to prohibit the practice of praying, singing, reading the Bible and other religious exercises, in such schools, academies and seminaries of education, as receive aid from the public treasury,

**REPORTS :**

That the Committee have given to this memorial the the most serious and deliberate consideration. They have been deeply impressed with the importance of some at least of the questions raised by the petitioners, and involved, directly or by implication, in the object they are pursuing, and the indispensable necessity, if possible, of having those questions settled, and settled right, in the public mind. In recommending that the prayer of the memorialists be not granted, the committee would not deem their duty faithfully done, without an effort to shew that their conclusions in the matter are sound and just ; it is believed that this can be shewn to the satisfaction of the House, and, it is hoped, to the satisfaction of the petitioners, and of the country.

The substance of the complaint in this memorial is, that religious exercises are tolerated in those public schools which participate in the public bounty ; and this practice they regard as a violation of the law of equality and the rights of conscience, as aiding to propagate, and enforce

peculiar religious opinions at the public expense, and leading to, if not actually forming, a union of church and state.

In order to understand the force and effect of this complaint, it will be necessary to look for a moment at our system of public instruction, to consider what our schools are, how constituted and supported, and why they are sustained and regulated as they are.

It happens unfortunately, that experience does <sup>not</sup> shew that the mass of any people are disposed to keep up and support a sufficient and effective system of instruction for themselves by voluntary contributions, and it becomes necessary, therefore, for the sake of self-preservation, that the community should make provision for the support of education by law. This necessity was early felt in this State, and it has been long, and is now, and always must be, the settled and steady policy of the State to furnish aid in support of public instruction.

To speak of our common school system only.—A large sum is distributed annually from the treasury in payment of the wages of teachers, and a sum equal to that which is thus furnished, and which is the income of a large fund devoted to this purpose, is raised by the compulsory process of taxation, and applied to the same object. Each district, complying with certain prescribed conditions, receives a share of these public moneys.—The district taxes itself, if the majority in it so please, to provide the proper house and accommodations for the school. It contracts, through its trustees, with a qualified instructor, and provides for the payment of any deficiency in the amount of public moneys to pay the wages of the master, by a rate bill against those who furnish children to be instructed.

In this plan it will be seen, that while no person liable to taxation is allowed to escape the duty of contribution to the support of popular education, no individual is compelled by any law to educate his children at all, much less send them

to public schools. If he choose to violate the solemn obligation, which his position, as a citizen, a contractor with the community, imposes on him to fit his offspring by a proper course of educational discipline for the part they are to act in the business of the common government, he is at liberty to do so. Especially is he left at perfect liberty, if he will have them educated at all, to do so in any manner he thinks fit, and under any masters whom he may see proper to employ. In regard to the support of the public schools, he stands precisely in the condition of a tax-paying citizen, who may have no children to send to those schools. He has the same interest in the school fund, and like them he contributes to the amount raised by taxation according to his ability. Further than this, the law does not oblige him to go. He is taxed for the support of an indispensable public institution, and, if he have children to be educated, this institution is open to him as to all others, and he is free to avail himself of its direct advantages or not, according to his pleasure.

Now it is to these schools, as we are to suppose, that the children of the petitioners are accustomed to resort, and in some cases, it is fair to presume, that it is found exceedingly inconvenient, perhaps impossible, for these parents to furnish their children with the means of instruction any where else. They are, therefore, obliged to resort to these schools, or take the alternative of keeping their children in utter ignorance; and it is under these circumstances, that they come before the Legislature with the complaint, that, on resorting to these schools, they find there a practice introduced—that of indulging in devotional exercises—which they deem highly offensive and objectionable. The grounds of objection to this practice, as far as we can gather them from the memorial, are two:

1. That the christian religion is thus supported or aided at the public expense.



2. That the rights of equality and the rights of conscience are hereby invaded, inasmuch as the unguarded minds of their children are thus exposed to be contaminated.

In regard to the first of these positions, the committee would only say, that it is a mere error in fact. It is simply untrue. These teachers are paid for teaching, and not for praying. No part of their wages is for this service, or any other religious exercise. And this must be evident enough from the fact, that the wages of teachers are not in the least affected by the consideration whether they pray or do not pray.

In regard to the other ground of objection presented by the petitioners, we remark. Whenever a number of persons associate together in public assemblage for any specific object, it is usual and perfectly competent for them to agree on the forms of proceeding, and the terms on which the common object shall be prosecuted. This determination of course belongs to the majority; and it belongs essentially to the power of the majority to insist on any conventional forms of proceeding while the body is together, not inconsistent with the common object. As for example, if it be a company of Friends, or they are in the majority, they may agree to sit with their hats on; if not, they may agree to sit with them off. If the majority are Shakers, they may dance; if Jews, or Christians, they may pray. And in all cases it is the duty of the minority to submit. The only question for them is, whether the form or ceremony insisted on is in itself decent and becoming, and not in hostility to the main purpose of the association.

Now it is on this principle that your committee suppose the practice objected to by the petitioners is adopted. The practice is not prescribed by any State authority. It is a matter wholly referred to the decision of the towns and districts. A majority of the parents sending children to a public school, acting for their children, as they have a right



to do, may rightfully agree and direct that the proper business of the school shall be opened or closed, or both, daily with religious exercises. Each parent has a right to pray himself and to teach his child to pray; and if one has this right, so have all, or as many as are of that way of thinking; and as each may practice acts of devotion individually, whenever they associate they may practice the like acts of devotion in a social way; and they may require the same thing of their children, whether individually or in a social assemblage. The practice is innocent and decent, and we know of no principle on which a minority, voluntarily associating with them in pursuit of an object in which they are all agreed, can properly dictate to the majority the conventional terms on which the body shall proceed.

But the petitioners ask for the passage of a *law* to prohibit the practice complained of. They ask for a law to prevent the majority in a school district from ruling in a matter which is in itself innocent, and is of necessity purely conventional. They ask for a law to prevent a majority, associated and meeting for the purpose of instruction, from indulging in social prayer and reading the bible as a devotional exercise. The argument for this application is, that the children of the minority are exposed to have their minds tainted and corrupted by these religious acts.

It is undoubtedly true that no person, and no association of persons, are at liberty to indulge in any acts or practice, in the face of the community, which, by their necessary operation, are calculated to corrupt and debauch the youthful or the unwary: to incite to licentiousness or to crime. It is on this principle that the law will not tolerate the publication of obscene books and prints. As no man has himself a right to rob or steal, so no man has a right to incite another person to rob or steal; and as no man has himself a right to trample on the common law of public decency, so no man has a right to stimulate the passions of others to the commission of the like offence.

If then it were true that the devotional practice complained of by the petitioners, tended of necessity to the contamination of the minds and morals of their children, it ought undoubtedly to be arrested by legal interposition.—Such is not, however, the opinion of your committee. It is not enough to make out the case, that the petitioners differ in opinion with those who resort to this practice, in regard to the character and pretensions of the religion which the latter profess. The petitioners have an undoubted right to pronounce that religion to be a mere superstition, and its whole story a collection of legends and absurdities, as they seem to do in this petition; but this we apprehend is not enough to make out a case demanding its suppression by legal authority. They must go farther, and show that this religion, by its necessary operation, is pernicious in its effect on mind and morals, tending to set men free from all moral restraint, and turn them loose with excited and unbridled passions on each other and on society. When this is proved, then undoubtedly ought the practice of “praying, singing, and reading the bible,” to be prohibited in schools. And of course the prohibition must not stop there. If these Christian practices are interdicted by law in schools, because they contaminate and corrupt the youth who there witness them, they must be interdicted elsewhere and everywhere within the State, for the same reason. If the public reading of the bible, whether in schools or elsewhere, has a necessary tendency to vitiate public sentiment, to incite to universal lasciviousness, or in any way to weaken and finally destroy all sense of moral obligation, then the public reading of the bible should be prohibited by law, not in one place, but in all places; and not only so, but it would be the duty of the community to put an utter end also to the printing and circulation of such a book.

The committee cannot suppose that these petitioners themselves are ready to carry out the work of prohibition

and exclusion to the extent here indicated ; and for ourselves, we should be quite unwilling to begin such an experiment in any quarter—at least, upon any evidence we yet have of the pernicious and dangerous character of the book or the religion of which the petitioners complain.

But the prayer of these memorialists presents for consideration another subject of no little moment. They ask that the reading of the bible in schools should be prohibited; and this goes of course to its utter exclusion—if it may not be read, it cannot be introduced or used there for any valuable purpose. Now your committee think that there are very weighty reasons why the use of this book should be retained in our public schools, and why it may be without the least danger of offending any one's conscience, or injuring any one's rights. We have seen on what ground it is that the majority in a public school have a right to read the bible as an act of devotion. We now mean to insist that its use as a text or class-book, is, in our judgment, indispensable to a good system of popular instruction.

Popular education is a thing very closely connected with the healthy existence of civil society, especially in the form which such society has assumed with us. Having been at liberty to choose a government for ourselves, we have resorted to the republican mode, the first principle of which is, that the people are the source of all political power.—We have all assented to this form of government, each individual for himself, and each is therefore under contract with all for its preservation. The obligations which the adoption of any form of government imposes on the citizens, do not rest alone in constitution and laws. Some of the most essential are implied in the very nature of the government adopted. Such are those which have regard to personal character and conduct, and their influence for good or evil, on the stability and permanence of the political forms in use. It is universally conceded that popular in-



telligence and popular virtue are indispensable to the existence and continuance of such a government as ours; and if so, then as the character of the public will be what the mass of individual character is, it is the duty of every individual to be virtuous, and to possess a competent degree of intelligence. Every man who has any voice or influence in public affairs, is bound to inform himself and act honestly; for if any one is not, no one is—all are at liberty to be both ignorant and dishonest, and whenever that happens, the government, being in the hands of the people, and swayed by a majority of voices, must become the most oppressive and odious of all tyrannies, and hasten to a violent conclusion. The whole power of the community rests with the majority, and no matter how well defined and strictly guarded the limits of that power may be by the written terms of the compact, there are constant and strong temptations to exceed those limits, and the grand security rests, and must always rest, after all, in the intelligence of the majority to discover the proper boundaries of their power, and their sense of moral obligation to keep within them.— In other words, the question of the existence and continuance of a popular government is always a question of the existence and continuance of popular intelligence and popular virtue, and hence the necessity and obligation of every member of such a community to be educated and to be virtuous.

But popular education cannot be left to take care of itself. It is found absolutely necessary to place it under the care and patronage of government. Such is the settled policy of our own State. And with what purpose is it that the government undertakes to exert its political and parental authority over this subject? Not certainly for the personal benefit merely of the individuals who partake of its bounty; but it is for the sake of self-preservation; it is because these individuals together constitute the people, and be-

cause the people rule, and because without education they are unfit to be rulers. The object then simply is, to make these persons intelligent and virtuous men, that they may be intelligent and virtuous citizens; to fit them, in other words, for the faithful and competent discharge of their political, social and public duties.

It is not, therefore, enough that the government shall provide, in part or in whole, for the support of education; it is bound, as far as it can, to see that its bounty is so applied as to produce the result at which it aims. It is quite as important to take care that the proper course of studies be prescribed for the public schools, that they should be subjected to the proper discipline and the proper police, as it is that they should be cherished and sustained at all.— And who is to take care of this important matter, if the State does not? The limit of its authority over the subject is very clear. It is found in the object to be accomplished. Keeping that object steadily in view, and being careful to prescribe nothing inconsistent with it, its power is indisputable.

At present this important power of prescribing the course of studies in our common schools is lodged in hands very near the people. The inhabitants of each town elect six officers who are by law the inspectors and visitors of the schools, determining the qualifications of teachers and directing the course of instruction. These officers of course represent the majority of qualified voters; that is to say, the majority through their elected officers do, or may, prescribe the course of studies.

Now your committee do not undertake to say what subjects of study should be prescribed. That would be foreign to our present duty. But when it is asked that a particular book should be excluded from the course by law, it is deemed proper to shew, at least, why that particular book should be retained, if already in use, or brought into use if it is not.

The great reason may be thus stated. Moral instruction is quite as important to the object had in view in popular education, as intellectual instruction; it is indispensable to that object. But to make such instruction effective, it should be given according to the best code of morals known to the country and the age; and that code it is universally conceded, is contained in the Bible. Hence the Bible, as containing that code, and for the sake of teaching and illustrating that code, so far from being arbitrarily excluded from our schools, ought to be in common use in them.

Keeping all the while in view the object of popular education; the necessity of fitting the people, by moral as well as intellectual discipline, for self government, no one can doubt that any system of instruction which overlooks the raising and informing of the moral faculties, must be wretchedly and fatally defective. Crime and intellectual cultivation merely, so far from being dissociated in history and statistics, are unhappily old acquaintances and tried friends. To neglect the moral powers in education, is to educate not quite half the man. To cultivate the intellect only, is to unhinge the mind and destroy the essential balance of the mental powers; it is to light up a recess, only the better to shew how dark it is. And if this is all that is done in popular education, then nothing, literally nothing, is done towards creating and establishing public virtue and forming a moral people.

The moral powers then must be informed and cultivated in our schools. Children must be instructed in moral truth and be taught to feel habitually the force of moral obligation; and to do this according to the best standard, the use of the Bible for that purpose cannot be dispensed with. So it is believed that the great majority of our people think, and whenever they think so in the towns they will of course, by their proper officers, order and direct the course of instruction accordingly.

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Nor is it discovered what good right the petitioners, or any minority of persons, have to object to the use of this book for the purpose indicated, as an approved and standard work for instruction in morals, because their opinion of its merits in this respect may differ from that of the majority. If the minority may rule in regard to the use of this book, and forbid the teaching of its code, they may do the same thing in regard to any other book or any other subject. They may insist that the Christian code of morals shall be exchanged for that of the Brahmins, or turn the schools over to Plato or Aristotle, or Seneca, or Mahomet. They may prescribe the entire course of studies, instead of leaving it to be done by those to whom the law and the voice of the majority have confided the power.

Nor again, is it discovered that the practice of teaching morals according to the christian code, and using the Bible for that purpose, the majority adopting it, is any infringement whatever on the religious rights and liberty of any individual. To teach christian morals, referring to the Bible both for the principles and for their illustrations, is a widely different thing from teaching what is understood to be a christian religion. Religion is a matter between a man and his God. It has reference to the worship of the Supreme Being, and the mode of such worship, and has relation to a future state of existence, and the retributions of that future state; and is concerned with creeds and articles of faith. Now, religious freedom consists in a man's professing and enjoying what religious faith he pleases, or in the right of rejecting all religions; and this freedom is in no degree invaded when the morals of the Bible are taught in public schools.

And if the christian religion, as a system of faith, whether according to one creed or another creed, according to the notions of one sect, or of another sect, is not taught in these schools, then of course there can be no pretence that

this religion is, in this way, supported by the State. Your committee, in common, they believe, with nearly the whole body of their fellow citizens, would regard it as the deepest of calamities, if religion—the christian religion—should fall under the protection and patronage of political power. That religion is, in its nature, free ; it cannot take support from law without losing its lustre and its purity ; it is in its very essence and spirit to demand none but a voluntary worship, and allow none but a voluntary support. But we cannot discern that it is in the least danger of injury from any public support in the schools on account of the use which may be made there of the Bible as a text or a class book.

Your committee have now given the reason why they think the Christian code of morals should be taught in our schools as an indispensable part of our system of popular instruction ; and why the Bible should be employed for that purpose. There are other reasons why it is exceedingly desirable and important that this book should be generally used in our schools and seminaries, instead of being arbitrarily excluded, as these petitioners require. But we do not deem it necessary to detail those reasons. If the Bible should be studied for its moral principles, it should be studied also as a history and as a classic. As an authentic narrative of events, the most extraordinary and the most interesting any where recorded of our race, it is invaluable ; and there is nothing, and can be nothing, to supply its place.

And such is the nature and antiquity of its story, that no education in this department of knowledge, not the most elementary, can be had without some acquaintance with its contents. And then as a classic, if generally employed as such, it would certainly supply a want which no other book can. The faithful and critical study of the English language, in its purity, by the youth of our country, is immensely important ; and it is confidently believed, that no where can there be found in the same compass, half as many



specimens of beautiful and pure Anglo-Saxon language, as in the Bible. And we think it may be safely said that, since the publication of the present English Bible, as translated under the orders of King James, no writer or speaker in that language, can be named, who has acquired any just celebrity for the simplicity, strength and beauty of his diction, who has not been mainly indebted to that book for his excellence in that particular. Mr. Fox declared, that if he was ever eloquent, it was because he had faithfully studied the book of Job.

In conclusion, your committee would only say that, while after the most attentive examination, they have not been able to find, in the memorial before them, one fair ground of complaint, they have been, and are, deeply impressed with the many and weighty considerations which urge on all who value the interests of education, the interests of morals, and the interests of the country and of mankind, the indispensable necessity of preserving to the people the right to employ the Bible as a means of invaluable secular instruction, in all public schools and seminaries, to which they may have occasion to resort.

Complaints of whatever is valuable in civil society will always be made. Some who make them are honest, but mistaken; more act under the merest delusion; a few are speculative and reckless. Men of this latter class are apt to be ingenious, because restless and dissatisfied. Their work is to destroy, but never build. The moral restraints of society sit gallingly upon them. They take the name of liberty on their lips, but they mean licence and confusion. With them nothing is sacred, nothing is venerable, and nothing is safe.—And of late, their boldness and strength seem to have increased. Their spirit is seen every where. It is busy with political institutions, with religious obligations, with social forms and domestic ties; busy to waken, to invalidate, and to undermine.



They are not supposed to be numerous even yet; but they have followers, who are followers, because they do not know who they are who lead them, or whither they are led. This state of things demands undoubtedly great firmness on the part of those who would sustain and preserve what is valuable in our social and political forms. And it demands as much moderation as firmness. We would always hear; we would always consider: and we would always reply only by argument and by appeals to reason and to truth. It is in this way that the committee have intended to meet the complaints of these memorialists; and with what success they have done so, must now be left to the judgment of the house and of the country.

The committee recommend to the House, the adoption of the following resolution.

*Resolved*, That the prayer of the memorialists be not granted.



